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Attorney Docket No. 5649-1215

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: SoonHo Kim et al; Confirmation No.: 9374
Application No.: 10/775,772 Group Art Unit: 1756
Filed: February 9, 2004
For: PHOTOMASKS INCLUDING SHADOWING ELEMENTS THEREIN AND
RELATED METHODS AND SYSTEMS

Date: June 29, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of February 9, 2004 rather than February 10, 2004 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of February 9, 2004 being the correct filing date for the application which was properly filed under 37 C.F.R. § 1.10:

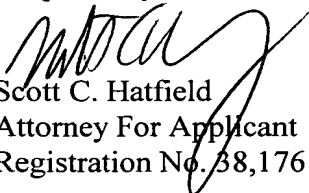
1. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS of 12 noon on February 9, 2004; and
2. A true and accurate copy of United States Postal Service Track & Confirm of Shipment Details showing that the Application was deposited in the Post Office on February 9, 2004 at 4:31 pm.
3. A true and accurate copy of our return post card include if applicable: and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of February 10, 2004 instead of the Express Mail date of February 9, 2004.

In re: Baek et al.
Application No.: 10/719,192
Page 2

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of February 17, 2004 as the filing date pursuant to 37 CFR § 1.10.

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

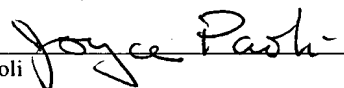
Respectfully submitted,


Scott C. Hatfield
Attorney For Applicant
Registration No. 38,176

USPTO Customer No. 20792
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Raleigh, North Carolina 27627
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Joyce Paoli



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Date: 2-9-04
Doc. No. 5649-1215
Serial No.
Inventor: KIM et al

Sir: Kindly acknowledge receipt of the accompanying items listed below
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Application Transmittal and:
☒ Specification pages 29
☒ No. of Claims 20
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☒ Assignment and Fee
☐ Small Entity Statement
☒ Formal Drawings 9 sheets
☐ Associate Power of Attorney
☐ Exp. Mail ☐ 1st Class Mail

☒ Check \$ 1796.00
☒ IDS & PTO-1449 & 16 refs.
☐ Amendment & Amend. Transmittal
☐ Preliminary Amendment
☐ Issue Fee
☐ Brief
☐ Appeal
☒ Submittal of Priority Doc.

Other: 17302 U.S. PTO
10/775772

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A. 021004
Attorneys for Applicant



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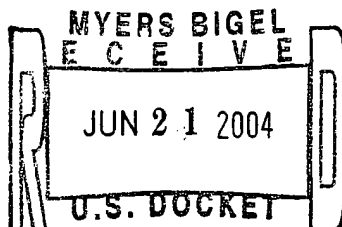


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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/775,772	02/10/2004	1756	1756	5649-1215	9	70	4

20792
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CONFIRMATION NO. 9374

FILING RECEIPT



OC000000012959910

Date Mailed: 06/16/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

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Domestic Priority data as claimed by applicant

This application is a CIP of 10/623,616 07/22/2003

Foreign Applications

REPUBLIC OF KOREA P2003-0084715 11/26/2003
 REPUBLIC OF KOREA 2002-61046 10/07/2002

If Required, Foreign Filing License Granted: 06/15/2004

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

06-18-04 A09:14 IN

Title

Photomasks including shadowing elements therein and related methods and systems

Preliminary Class

430

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